
EXHIBIT 11



Central Valley Regional Water Quality Control Board

18 March 2019

Ms. Melissa A. Thorme
Downey Brand LLP
621 Capital Mall, 18th Floor
Sacramento, CA 95814

Via Email

Supplemental Notice of Public Hearing

Cease and Desist Order
For
Valley Water Management Company
McKittrick 1 & 1-3 Facility, Kern County

Ms. Thorme,

The Central Valley Water Board intends to afford Valley Water Management Company ("VWMC") the full opportunity to be heard at the June hearing. The notice issued with the draft Cease and Desist Order ("Order") on 25 February 2019 did not specify that the hearing would be conducted as an "informal" hearing; all procedures required under applicable regulations for regular adjudicative proceedings will apply. These procedures can be found on the Board's website at: https://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.html. VWMC, as the party named in the Order, will have the opportunity to present testimony, cross-examine witnesses, and present a closing statement.

Furthermore, the evidence that the Board is relying upon to issue the permit was presented to VWMC when the draft CDO was circulated for public comment on 25 February 2019 – it is contained in the Board's Staff Report, including the appendices and the documents referenced therein. As per the notice, VWMC is being afforded the opportunity to present "testimony, evidence and/or comments in writing to the Central Valley Water Board no later than **5:00 p.m. on 29 March 2019.**" (This is also the deadline that applies to all commenters that wish to submit policy statements and recommendations to the Board.)

You have also requested the opportunity to provide rebuttal testimony, which is allowed under applicable regulations. (Cal. Code Regs., tit. 23, § 648.4, subd. (f).) In order to respond to VWMC's request, and to ensure an orderly consideration of the pending matter, the following deadlines will apply to the hearing.

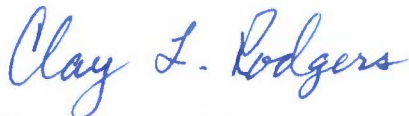
KARL E. LONGLEY SCD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

1685 E Street, Fresno, CA 93706 | www.waterboards.ca.gov/centralvalley

Board Provides Evidence Relied Upon for CDO:	25 February 2019 (past)
Board Provides List of Witnesses and Subject(s) of Witness Testimony:	18 March 2019
VWMC and all Commenters Provide Testimony, Evidence and/or Comments in Writing to the Board, along with a List of Witnesses and Subject(s) of Testimony:	29 March 2019 (original deadline)
Regional Board Posts Responses to Comments on Tentative Webpage (https://www.waterboards.ca.gov/centralvalley/board/decisions/tentative_orders/):	13 May 2019
Rebuttal Comments and/or Evidence Due:	20 May 2019

Lastly, any requests for time at the hearing should be made by the **29 March 2019** deadline.

Enclosed is the Central Valley Water Board's proposed witness list. If you have any questions regarding these matters, please contact Jessica Jahr at (916) 341-5168.



CLAY L. RODGERS
Assistant Executive Officer

Attachments: Native American Tribal Government Consultation List Kern County
Concerned Persons and Agencies List

Enclosure: Central Valley Water Board Witness List

Native American Heritage Commission

Native American Contacts

1/18/2018

Pine Paiute Tribe of the Owens Valley
Genevieve Jones, Chairperson
P. O. Box 700 Paiute - Shoshone
Big Pine , CA 93513
(760) 938-2003

(976) 938-2942 Fax

Kern Valley Indian Community
Robert Robinson, Chairperson
P.O. Box 1010 Tubatulabal
Lake Isabella , CA 93283 Kawaiisu
brobinson@iwvisp.com
(760) 378-2915 Cell

Big Pine Paiute Tribe of the Owens Valley
Genevieve Jones, Chairperson
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(976) 938-2942 Fax

Kitanemuk & Yowlumne Teion Indians
Delia Dominguez, Chairperson
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Big Pine Paiute Tribe of the Owens Valley
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(760) 938-2003, ext. 228

(976) 938-2942 Fax

San Manuel Band of Mission Indians
Lee Clauss, Director-CRM Dept.
26569 Community Center Drive Serrano
Highland , CA 92346
lclauss@sanmanuel-nsn.gov
(909) 864-8933

(909) 864-3370 Fax

Chumash Council of Bakersfield
Julio Quair, Chairperson
729 Texas Street Chumash
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661-322-0121

San Manuel Band of Mission Indians
Lynn Valbuena
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Kern Valley Indian Community
Julie Turner, Secretary
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Lake Isabella , CA 93240 Tubatulabal
(661) 340-0032 Cell

Santa Rosa Indian Community of the Santa Rosa Rancheria
Rueben Barrios Sr., Chairperson
P.O. Box 8 Tache
Lemoore , CA 93245 Tachi
(559) 924-1278 Yokut

(559) 924-3583 Fax

This list is current only as of the date of this document and is based on the information available to the Commission on the date it was produced.

Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resource Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native American Tribes with regard to cultural resources assessments for the proposed: RWQCB Tribal Consultation List Update for Kern County.

**Native American Heritage Commission
Native American Contacts
1/18/2018**

Tejon Indian Tribe
David Escobedo, Chairperson
1731 Hasti-acres Drive, Suite 108 Kitanemuk
Bakersfield, CA 93309
oescobedo@tejontribe.net
(661) 834-8566

(661) 834-8564 Fax

Tubatulabals of Kern Valley
Robert L. Gomez, Jr., Tribal Chairperson
P.O. Box 226 Tubatulabal
Lake Isabella, CA 93240
(760) 379-4590

(760) 379-4592 Fax

Tule River Indian Tribe
Neil Pevron, Chairperson
P.O. Box 589 Yokuts
Porterville, CA 93258
chairman@tulerivertribe-nsn.gov
(559) 781-4271

(559) 781-4610 Fax

Wuksache Indian Tribe/Eshom Valley Band
Kenneth Woodrow, Chairperson
1179 Rock Haven Ct. Foothill Yokuts
Salinas, CA 93906 Mono
kwood8934@aol.com Wuksache
(831) 443-9702

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This list is only applicable for contacting local Native American Tribes with regard to cultural resources assessments for the proposed: RWQCB Tribal Consultation List Update for Kern County.

Concerned Persons and Agencies List

-1-

Ms. Katherine Moore, Consultant, California Senate Natural Resources and Water Committee, Sacramento (via email)
U.S. Department of the Interior, Bureau of Land Management, Bakersfield (via email)
Mr. John Borkovich, Supervising Engineering Geologist, State Water Resources Control Board, DWQ, Sacramento (via email)
Mr. Scott Couch, Supervising Engineering Geologist, State water Resources Control board, DWQ, Sacramento (via email)
Ms. Jessica Jahr, Attorney III, State Water Resources Board, OCC, Sacramento (via email)
Mr. David Lancaster, Attorney, State Water Resources Control Board, OCC, Sacramento (via email)
Ms. Meredith Williams, Acting Director, California Department of Toxic Substances Control, Clovis (via email)
Ms. Julie Vance, Regional Manager, California Department of Fish and Wildlife, Region IV, Fresno (via email)
Mr. Kevin Faulkenberry, Office Chief, California Department of Water Resources, San Joaquin District, Fresno (via email)
Mr. Ken Harris, California Department of Natural Resources, Division of Oil, Gas and Geothermal Resources, Sacramento (via email)
Mr. Jaswinder S. Dhaliwal, District Engineer, California Division of Drinking Water, District 19, Bakersfield (via email)
Carolyn Lozo, Manager, California Air Resources Board, Sacramento (via email)
Mr. Samiar Sheikh, Executive Director, San Joaquin Valley Air Pollution Control District, Fresno (via email)
Mr. Matthew Constantine, Director of Public Health Services, Environmental Health Department, County of Kern (via email)
County of Kern, Planning and Community Development Department, Bakersfield (via email)
Kern Mosquito and Vector Control District, Bakersfield (via email)
West Side Mosquito and Vector Control District, Taft (via email)
Kenneth Bork, Sentinel Peak Resources (via email)
Jason Meadors, Valley Water Management Company, Bakersfield (via email)
Christopher Reedy, Valley Water Management Company, Bakersfield (via email)
Mr. James Waldron, Consultant for Valley Water Management Company, San Clemente (via email)
Hollin Kretzmann, Center for Biological Diversity, Oakland (via email)
Gustavo Aguirre, Center on Race, Poverty and the Environment, Delano (via email)
Juan Flores, Center on Race, Poverty and the Environment, Delano (via email)
Andrew Grinberg, Clean Water Action, Washington D.C. (via email)
Keith Nakatani, Clean Water Action, Oakland (via email)
Holly Pearen, Environmental Defense Fund, Boulder, CO (via email)
Bill Allayaud, Environmental Working Group, Sacramento (via email)
Brandon Dawson, Sierra Club, San Francisco (via email)
State Board Oil & Gas Groundwater Monitoring (SB4) Iyris list
State Board Food Safety/Oil Field Wastewater Reuse Iyris list

**Cease and Desist Order
For
Valley Water Management Company
McKittrick 1 & 1-3 Facility, Kern County**

Witness List – Central Valley Water Board

Clay Rodgers, Assistant Executive Officer, Central Valley Water Board, Fresno Office

General Scope of Testimony: Mr. Rodgers will introduce the matter, and his testimony will cover the regulatory history of Valley Water and the rationale for the Cease and Desist Order. He will also offer testimony on the impacts of Valley Water's operation on groundwater.

Expert qualifications: Mr. Rodgers graduated from California State University, Fresno with a Bachelor of Science and Master of Science degrees in Geology. Clay has been employed by the Central Valley Regional Water Board from 1999 to 2003 and since 2007. In addition to his experience at the Central Valley Water Board, Clay has 19 years of professional consulting experience. He is a Professional Geologist and Certified Engineering Geologist in California. He has 19 years of private consulting specializing in groundwater assessments of impacts from a wide range of facilities including landfills, wastewater storage facilities, industrial facilities, and underground storage tanks. His experience also includes slope stability analyses, seismic studies, and water supply studies. His work on water supply studies have included the design of water supply wells and the assessment of suitability for the intended use. His 11 years of experience at the Board have included the past 9 years as Assistant Executive Officer in charge of the Fresno office.

William "Dale" Harvey, Senior Water Resource Control Engineer (Supervisor), Central Valley Water Board, Fresno Office

General Scope of Testimony: Mr. Harvey may testify regarding civil engineering aspects of the facility and may opine on hypotheticals or comment on testimony presented at the Hearing.

Expert qualifications: For the last 26 years, Mr. Harvey has worked for the Central Valley Water Board as an engineer. During that time, he has conducted field inspections and studies, reviewed and approved engineering and technical reports of various types, reviewed and performed water balances, developed waste discharge requirements, permits, and enforcement items for Board consideration. He is a registered Civil Engineer (C55628) and received his Master of Science Civil Engineering, California State University Fresno, Fresno, December 1997, and his Bachelors of Science, Environmental Resources Engineering, Humboldt State University, Arcata California, May 1993.

Ronald E. Holcomb, Senior Engineering Geologist, Central Valley Water Board, Fresno Office

General Scope of Testimony: Mr. Holcomb may offer expert testimony regarding geologic aspects of the facility and may opine on hypotheticals or comment on testimony presented at the Hearing.

Expert qualifications: For the last 20 years, Mr. Holcomb has worked for the Central Valley Water Board as an Engineering Geologist. In addition to his experience at the Central Valley Water Board, Ron has 11 years of professional consulting experience. During that time, he has conducted field inspections and studies; prepared, reviewed, and approved engineering and technical reports of various types; developed waste discharge requirements; and prepared enforcement items for Board consideration. He is a registered Geologist (6725), a Certified Engineering Geologist (2390), and a Certified Hydrogeologist (603) in California. Ron received

his Bachelors of Science, Geology from Fresno State University, Fresno, California, in August 1994.

Douglas L. Wachtell, Engineering Geologist, Central Valley Water Board, Fresno Office

General Scope of Testimony: Mr. Wachtell is available to testify as to inspections conducted at the Valley Water facilities and other materials in the Valley Water case file that he has personal knowledge of.

Expert qualifications: For the last 20 years, Mr. Wachtell has worked for the Central Valley Water Board as an Engineering Geologist. In addition to his experience at the Board, Doug has 7 years of experience as a petroleum geologist in west Texas and 5 years of professional consulting experience in southern California. During his time at the Board, he has conducted field inspections and studies; prepared, reviewed, and approved engineering and technical reports of various types; developed waste discharge requirements; and prepared enforcement items for Board consideration. He is a Professional Geologist (6689) in California. Mr. Wachtell received his Bachelors of Science, Geology from Franklin and Marshall College, Lancaster, PA in 1979, Masters of Science, Geology from the University of Utah, Salt Lake City, UT in 1988, and Masters of Science, Hydrogeology from Western Michigan University, Kalamazoo, MI in 1994.

Alejandra Lopez, Engineering Geologist, Central Valley Water Board, Fresno Office

General Scope of Testimony: Ms. Lopez is available to testify as to inspections conducted at the Valley Water facilities and other materials in the Valley Water case file that she has personal knowledge of.

Expert qualifications: For the last 4 years, Mrs. Lopez has worked for the Central Valley Water Board as an Engineering Geologist. In addition to her experience at the Board, Ms. Lopez has 1 year of experience as a consulting Geologist in Southern California, 5 years as an Environmental Scientist and Laboratory Chemist for the City of Dallas in north Texas. During her time at the Board, she has conducted field inspections; prepared, reviewed, engineering and technical reports of various types; and prepared enforcement items for Board consideration. Ms. Lopez received her Bachelors of Science, Geology in 2006 and her Masters of Science, Geology in 2009 both from California State University, in Los Angeles.